



IN THE DISTRICT COURT OF WASHINGTON
IN AND FOR LEWIS COUNTY

In Re:

TEMPORARY SUSPENSION OF
LLCrRLJ 3.2(V)(3)&(4)

ORDER NO.

1-2021

This Order supplements and modifies the prior General Orders of this court issued in response to COVID-19. All other provisions of the Prior General Orders, not addressed within this Order remain in full force and effect.

Based upon information from the Center for Disease Control (CDC), the recommendations of the Public Health Officer for Lewis County, the Director of Public Health for Lewis County, guidance from the Washington State Supreme Court, and based upon other restrictions put in place by the Governor of the state of Washington, the Lewis County District Court is taking the following actions (Orders):

It is hereby ordered that the temporary suspension of LLCrRLJ 3.2(v)(3)&(4), as ordered in General Order No. 6-2020 on August 17, 2020, is hereby lifted.

DATED this 25 day of January 2021.


DISTRICT COURT JUDGE

LLCrRLJ 3.2(v)

Offenses for which Bail is not Allowed

Any person subjected to custodial arrest for the following offenses shall be held in jail without bail pending their first appearance in court:

1. Any offense classified as Domestic Violence under Chapter 10.99 of the Revised Code of Washington or an equivalent ordinance;
2. Any offense classified as Stalking under Chapter 9A.46 of the Revised Code of Washington or an equivalent ordinance;
3. The offense of Driving Under the Influence (DUI) under Revised Code of Washington 46.61.502;
4. The offense of Physical Control of Motor Vehicle Under the Influence (PC) under Revised Code of Washington 46.61.504.

[Adopted emergency rule 12/16/05; permanent rule 9/1/06; emergency amended rule 2/10/14; permanent amended rule 9/1/14; amended 9/1/19]

LLCrRLJ 3.2(w)

Bail Schedule

[Rescinded 9/1/19]

LLCrRLJ 3.6(c)

Suppression Hearing Procedure

[Rescinded]

RCW 10.31.100(16) requires a police officer to arrest and take into custody, upon probable cause, a person who has violated RCW 46.61.502 or 46.61.504, when the officer has knowledge that the person has a prior offense, as defined by RCW 46.61.5055, within ten years or knowledge a person is charged with or awaiting arraignment for a "prior offense". See § 22.5, for definition of "prior offense". When a person is taken into custody on arrest under these circumstances, the person must be kept in custody, until released by a judicial officer on bail, personal recognizance, or court order. This language creates a "no bail" hold under these circumstances.

A police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or RCW 46.61.504 or an equivalent local ordinance and the police officer:

- (i) has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years;
- (ii) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.